

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.) Case No. 4:14 CR 244 CDP-1
)
TERRY SWOPES,)
)
Defendant.)

ORDER

This matter is before the Court on defendant Terry Swopes' Motion to Suppress Evidence and Motion To Suppress Statements [## 33 and 34].

Pursuant to 28 U.S.C. § 636(b), the motions were referred to United States Magistrate Judge Shirley Padmore Mensah. At the hearing on September 29, 2014, neither side presented evidence. After hearing arguments and receiving additional briefs, Judge Mensah filed her Memorandum and Report and Recommendation regarding the defendant's motions. Defendant filed an objection to the Magistrate Judge's recommendation that the motions be denied.

After conducting a *de novo* review, I will adopt and sustain the thorough reasoning of Magistrate Judge Mensah set forth in support of her recommended rulings issued on October 22, 2014. In particular, the search warrant was supported by probable cause, and to the extent there is any question, the good

faith exception under *United States v. Leon*, 468 U.S. 897, 922 (1984) applies.

Therefore, the motion to quash and suppress will be denied.

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation of the United States Magistrate Judge [#59] is **SUSTAINED, ADOPTED, and INCORPORATED** herein.

IT IS FURTHER ORDERED that defendant Terry Swopes' Motion to Suppress Evidence and Motion To Suppress Statements [## 33 and 34] are denied.


CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 17th day of December, 2014.